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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91204473
Party	Plaintiff Pickin' Cotton Communications, LLC
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of

Application Serial No. 79103520

Published in the *Official Gazette* on

February 28, 2012

Pickin' Cotton Communications, LLC, Index No.: 2012 - 001 - 032612

Opposer,

- against -

Edmund Frette, S.A.R.L.,

Applicant.

March 28, 2012

NOTICE OF OPPOSITION

Pickin' Cotton Communications, LLC (“Opposer”) opposes the grant of the application of Edmund Frette, S.A.R.L. (“Applicant”) to register the mark “EDMOND FRETTE” for apparel and other items in International Class 25.

COUNT ONE

1. Since May 3, 2012, Opposer applied for and sought to use the mark "FRATTY" in interstate commerce, both alone and in connection with its other marks, for a wide variety of goods and Services, and Opposer has been actively planning to expand its use of the mark. Opposer applied to use the FRATTY mark and other marks in connection with apparel and other items for the past several years.

2. Opposer is the owner of the following federal trademark application for registrations: (a) Serial No. 85207681 applied for registration on the Principal Register on December 30, 2010, published for opposition on the Principal Register on May 3, 2011, for the

trademark "FRATTY" for apparel and other items in Int'l. Class 25; and (b) Serial No. 85566088 , Applied for registration on the Principal Register on March 10, 2012 and soon expect registration for the trademark "FRATTY FOGARTY" for apparel and other items in Int'l. Class 25.

3. Opposer is also the owner of the following valid and subsisting U.S. federal trademark registrations or application for U.S. federal trademark registrations: (a) Serial No. 78534804, registered on the Principal Register on December 17, 2004, for the trademark "HOOD PREP" for apparel and other items in Int'l. Class 25; (b) Serial No. 85525471 applied for registration on the Principal register on January 12, 2012 , for the trademark "SOUTHERN BEAU", for apparel and other items in Int'l. Class 25.

4. Opposer owns and plans to use or has used the FRATTY, FRATTY FOGARTY, HOODPREP, and SOUTHERN BEAU trademarks in connection with the sale and provision of a variety of goods and Services in United States commerce for several years.

5. As a result of the intended widespread use in interstate commerce by the Opposer and its licensees of the aforesaid FRATTY, FRATTY FOGARTY, HOOD PREP, or SOUTHERN BEAU trademarks in connection with a wide variety of goods and services, the marks have acquired extensive goodwill, have developed a high degree of distinctiveness and are well known and recognized as identifying high quality goods and services which have their origin with or have been authorized by the Opposer.

6. Upon information and belief, Applicant has made no use of the mark EDMOND FRETTE as a trademark in the United States.

7. Applicant's mark EDMOND FRETTE is confusingly similar to Opposer's FRATTY and FRATTY FOGARTY trademarks in sound, appearance and commercial impression.

8. Applicant's goods are related to the goods and Services sold and provided in connection with Opposer's FRATTY, FRATTY FOGARTY, HOOD PREP, or SOUTHERN BEAU trademarks and/or represent a natural zone of expansion for Opposer and such goods and Services would travel and/or be promoted through the same channels of trade for sale to, and use by, the same class of purchasers.

9. There is no issue as to priority. On information and belief, Applicant has not used the EDMOND FRETTE mark in commerce for any goods or services.

10. Applicant's EDMOND FRETTE is similar to Opposer's mark for application FRATTY and FRATTY FOGARTY in sound, meaning and appearance.

11. Applicant's goods are related to the items of apparel and other goods on which Opposer uses or plans to use FRATTY, FRATTY FOGARTY, HOOD PREP, and SOUTHERN BEAU.

12. Applicant's use of the mark EDMOND FRETTE in connection with its proposed goods and Services is likely to cause confusion, mistake or deception as to the source of origin of Applicant's goods and Services in that the public, the trade and others are likely to believe that Applicant's goods and Services are: (a) the same goods and Services as Opposer's; or (b) provided by, sponsored by, approved by, licensed by, affiliated with or in some other way legitimately connected to Opposer and/or its goods, Services or licensed products.

13. Applicant's use and registration of EDMOND FRETTE for the goods of the application herein opposed will likely dilute the distinctiveness of the FRATTY, FRATTY FOGARTY, HOOD PREP, or SOUTHERN BEAU marks.

COUNT TWO

14. Opposer repeats and realleges the allegations set forth in paragraphs 1 through 13 as though set forth herein.

15. Opposer's FRATTY, FRATTY FOGARTY, HOOD PREP, and SOUTHERN BEAU trademarks are distinctive and famous and had become famous long prior to the acquisition of any rights Applicant may claim in the mark EDMOND FRETTE.

16. Use of the mark EDMOND FRETTE by Applicant causes dilution of the distinctive quality of Opposer's famous FRATTY, FRATTY FOGARTY, HOOD PREP, and SOUTHERN BEAU trademarks.

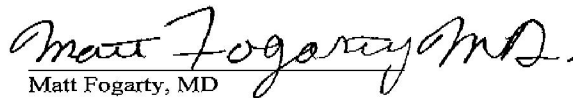
17. Opposer will be damaged by the registration sought by Applicant because such registration would support and assist Applicant in use of its mark and thereby dilute Opposer's rights in its distinctive and famous FRATTY, FRATTY FOGARTY, HOOD PREP, and SOUTHERN BEAU trademarks.

WHEREFORE, Opposer respectfully requests that this opposition be sustained and Applicant's application to register the mark EDMOND FRETTE be denied in all respects.

Respectfully submitted,

PICKIN COTTON COMMUNICATIONS, LLC

Dated: March 28, 2012


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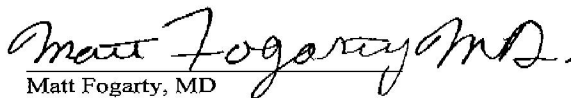
REPRESENTATIVE FOR OPPOSER

CERTIFICATE OF SERVICE

I hereby certify that on March 28, 2012, a copy of OPPOSER'S NOTICE OF OPPOSITION has been served by electronic mail and US mail, on Applicant's Attorney

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